IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 19151 of 2006
With
SPECIAL CIVIL APPLICATION No. 19152 of 2006
To
SPECIAL CIVIL APPLICATION No. 19154 of 2006

For Approval and Signature:

HONOURABLE MR.JUSTICE AKIL KURESHI

==========

1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

==========

AHIR ISHWAR LAXMANBHAI - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

==========

Appearance :
MR KARTIK V PANDYA for Petitioner(s) : 1,
MR SIRAJ GORI, AGP for Respondent(s) : 1,2
MR DR DAVE for Respondent(s) : 3.

==========

CORAM : HONOURABLE MR.JUSTICE AKIL KURESHI

Date : 07/09/2006

ORAL JUDGMENT

1. Rule. Learned AGP Siraj Gori waives service of notice of rule on behalf of respondents no.1 and 2. Learned advocate Shri D.R. Dave waives service of notice of rule on behalf of respondent no.3. At the request of learned advocates appearing for the parties, the petitions are taken up for final disposal today.

2. The petitioners are seeking admission in PTC course on Management quota of Self Financed Colleges. The challenge of the petitioners is to condition no.1 of circular dated 24-7-2006 issued by the State Government. The said condition requires that even for Management quota seat candidates should have applied for admission to the Centralised Committee.

3. It is not necessary to go into detail factual background and the legal controversies since this Court had under identical circumstances, granted limited prayer to similarly situated petitioners by an order dated 30-8-2006 passed

in Special Civil Application No. 18184/2006 and allied matters. Following order was passed :

> “7. Only to this extent, the petitions are required to be accepted. It is made clear that none of the other conditions are under challenge before this Court nor this Court has in any manner whittled down other conditions mentioned in the communication dated 24.7.2006 as also the requirement of fulfilling other legal conditions.
>
> 8. In the result, condition No.1 of communication dated 24.7.2006 is quashed. It would be open for the petitioners to apply for the management quota of seats of PTC course in self-financed institutions provided they fulfill necessary eligibility criteria. Their applications will be considered in accordance with rules and other conditions imposed by the Government in its communication dated 24.7.2006. To the above limited extent, the petitions succeed. Rule is made absolute to the above extent with no order as to costs. “

4. These petitions also deserve similar treatment. Keeping observations and directions of this Court in the said order dated 30-8-2006 intact, it is further provided that the petitioner herein also shall be considered for admission to PTC course in Management quota of Self Financed Colleges subject to fulfillment of all other conditions and on the basis of their merits.

5. With these directions, the petitions are disposed of. Rule made absolute to the above extent with no order as to costs.

(Akil Kureshi, J.)

(raghu)